

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

**FRENKEL, LAMBERT, WEISS, WEISMAN &
GORDON, LLP**

80 Main Street, Suite 460

West Orange, N.J. 07052

(973) 325-8800

Sean O'Brien, Esq.

Attorney for Wells Fargo Bank, N.A. as Trustee

f/b/o holders of Structured Asset Mortgage

Investments II Trust 2007-AR4, Mortgage Pass-

Through Certificates, Series 2007-AR4, Secured

Creditor

Case No.: **18-25708-CMG**

CHAPTER 11

In Re:

Tracy Hua,

Debtor.

Judge: Christine M. Gravelle

**APPLICATION FOR ORDER CONFIRMING THE AUTOMATIC STAY
IS NOT IN EFFECT***

I, Sean O'Brien, ☐ creditor, ☒ attorney for creditor, request an order confirming that the automatic stay provisions of 11 U.S.C. § 362(a) are not in effect as to this case for the reason(s) indicated below.

☐ **11 U.S.C. § 362(b)(22).**

☐ The debtor has not filed with the petition an *Initial Statement About an Eviction Judgment Against You (Official Form 101A)*.

☐ The debtor has not served upon the applicant an *Initial Statement About an Eviction Judgment Against You (Official Form 101A)*.

☐ The debtor has not deposited with the Clerk the rent due within 30 days of the filing of the petition in the amount of \$_____.

*1845e Harold Street, Philadelphia, PA 19125

*3229 Memphis Street, Philadelphia, PA 19134

*3010 Agate Street, Philadelphia, PA 19134

*2917 Tulip Street, Philadelphia, PA 19134

*3232 Emerald Street, Philadelphia, PA 19134

☐ The debtor filed with the petition and served upon the applicant an *Initial Statement About an Eviction Judgment Against You (Official Form 101A)*. The Clerk has forwarded to me, and I have received, the amount of _____\$ _____ representing the full amount of rent due within 30 days after the filing of the petition.

☐ The debtor has not filed a *Statement About Payment of an Eviction Judgment Against You (Official Form 101B)*.

☐ The debtor has not served on the applicant a *Statement About Payment of an Eviction Judgment Against You (Official Form 101B)*.

☐ The debtor has not paid the total amount of arrears due in the amount of \$ _____ within 30 days of the date of the petition.

☐ **11 U.S.C. § 362(b)(23).**

On _____ the applicant filed a certification regarding the debtor's actions, specifically ☐ endangerment of the property, and/or ☐ illegal use of controlled substances on the property by the debtor, or others. It is more than 15 days from the filed date of the Certification and the debtor has not filed an objection to the certification, or has filed an objection to the certification but has not served it upon the applicant.

☒ **11 U.S.C. § 362(c)(4).** The following cases have been pending in the preceding one year period, and have been dismissed.

____18-14355-CMG____ [Case number] _____ [Case number]

____18-23896-CMG____ [Case number] _____ [Case number]

_____ [Case number] _____ [Case number]

☐ **11 U.S.C. § 362(n).** Section 362(n) of the Code applies.

Date: 09/10/2018

/s/ Sean O'Brien
Applicant

*1845e Harold Street, Philadelphia, PA 19125
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Trust 2007-AR4, Mortgage Pass-Through Certificates,
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CHAPTER 11

Judge: Christine M. Gravelle

ORDER VACATING STAY

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

Debtor: **Tracy Hua**
Case No.: **18-25708-CMG**
Caption of Order: **Order Vacating Stay**

Upon the motion of Wells Fargo Bank, N.A. as Trustee f/b/o holders of Structured Asset Mortgage Investments II Trust 2007-AR4, Mortgage Pass-Through Certificates, Series 2007-AR4, under Bankruptcy Code section 362(d) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the Movant to institute or resume and prosecute to conclusion one or more actions in the Court(s) of appropriate jurisdiction to pursue the Movant's rights in the following:

 X Real property more fully described as:

1845e Harold St, Philadelphia, PA 19125
3229 Memphis Street, Philadelphia, PA 19134
3010 Agate Street, Philadelphia, PA 19134
2917 Tulip Street, Philadelphia, PA 19134
3232 Emerald Street, Philadelphia, PA 19134

 Personal property more fully described as:

It is further **ORDERED** that the Movant may join the Debtor and any Trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The Movant shall serve this order on the Debtor, any Trustee and any other party who entered an appearance on the motion.

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Case No.: **18-25708-CMG**

Chapter 11

Judge Christine M. Gravelle

In Re:

Tracy Hua,

Debtor.

CERTIFICATION OF SERVICE

1. I, _____:
☐ represent the _____ in this matter.
☒ am the secretary/paralegal for FRENKEL LAMBERT WEISS WEISMAN & GORDON, LLP, who represents Wells Fargo Bank, N.A. as Trustee f/b/o holders of Structured Asset Mortgage Investments II Trust 2007-AR4, Mortgage Pass-Through Certificates, Series 2007-AR4 in this matter.
☐ am the _____ in this case and am representing myself.
2. On _____, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below: Application for Order Confirming the Automatic Stay Is Not In Effect.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Date: 09/10/2018

/s/ Jennifer Blanchard
Jennifer Blanchard

Name and Address of Party Served	Relationship of Party to the case	Mode of Service
U.S Trustee One Newark Center. Suite 2100 Newark, NJ 07102	TRUSTEE	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court *)
Robert C Leite 6950 Castor Avenue Philadelphia, PA 19149	DEBTOR'S ATTORNEY	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court *)
Tracy Hua 6 Jewel Rd Princeton Jct, NJ 08550	DEBTOR	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court *)

** May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.*

new.08/01/2016